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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,894	11/30/2000	Satoshi Shimura	PNDF-00163	9262

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EXAMINER
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EL HADY, NABIL M

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/725,894

Applicant(s)

SHIMURA ET AL.

Examiner

Nabil M El-Hady

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/25/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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1. Claims 1-24 are pending in this application. Claims 12-24 are new claims.
2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show details of the circled branched process 3 in the flow charts of Figs. 2 and 5; details of the circled branched process 12 in the flow charts of Figs. 8 and 9; and details of the circled branched process 33 in the flow charts of Fig. 12. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1, 3-5, 7, 12, 13, 15, 16, and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art, hereafter "AAPA" in view of Iwata (JP 11175426A).
5. As to claim 1, AAPA discloses the invention substantially as claimed including a content supply apparatus, interposed between a portable terminal and a content server, for obtaining content demanded by the portable terminal to obtain and sending to the portable terminal (page

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1, lines 12-23), comprising: a content hold means for holding the content obtained from the content server (page 1, lines 18-20, and transmitting to the portable terminal of every information amount that can be displayed by the portable terminal (page 1, lines 21-25); and a prefetcher means for prefetching the other contents referred from said divided content, by transmitted divided content unit, from the content server, and storing in said content hold means (prefetch technology, page 2, line 10 to page 3, line 15) .

6. AAPA does not disclose a divided content supply means for obtaining the content demanded by the portable terminal from said content hold means if the same exists in said means, and from the content server if the same does not exist, and transmitting to the portable terminal by divided content unit of every information amount that can be displayed by the portable terminal. Iwata, on the other hand, discloses a divided content supply means for obtaining the content demanded by the portable terminal from said content hold means if the same exists in said means, and from the content server if the same does not exist, and transmitting to the portable terminal by divided content unit of every information amount that can be displayed by the portable terminal (abstract, and Fig. 1). It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of AAPA and Iwata because Iwata's divided content supply means would enable AAPA's system of utilizing the service provided by the content server adapted to a portable terminal , reduces forwarding time since the size of the divided contents is smaller than the original content, and reduces communication cost and network load.

7. As to claim 3, AIAA discloses a prefetch list creation section for detecting link information to the other contents contained in the divided content transmitted by said divided

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content supply means to the portable terminal for establishing a prefetch list and delivering to said prefetcher means (inherent in page 3, lines 12-22).

8. As to claim 4, AIAA discloses said prefetcher means prefetches according to the prefetch list transmitted from the portable terminal (inherent in page 2, lines 20-27)

9. As to claim 5, AIAA and Iwata do not necessarily disclose said prefetcher means storing a message matching off against the concerned content URI for any unavailability reason, and transmitting the message to the portable terminal. Official notice is taken that the both the concept and advantages of providing such unavailability message is well known and expected in the art. It would have been obvious to one skilled in the art at the time of the invention to convey a message to the user of the portable terminal to answer the user's request of one of the prefetched item.

10. As to claim 7, the claim is rejected for the same reasons as claim 1 above. In addition, a machine readable recording media recording a program for functioning a computer constituting a content supply apparatus, interposed between a portable terminal and a content server, for obtaining content demanded by the portable terminal to obtain and sending to the portable terminal, as a content hold means, a divided content supply means, and a prefetcher means, is inherent in AIAA and Iwata disclosures.

11. As to claims 12 and 13, the claims are rejected for the same reasons as claim 1 above.

12. As to claim 15, the claim is rejected for the same reasons as claim 3 above.

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13. As to claim 16, the claim is rejected for the same reasons as claim 4 above.
14. As to claim 18, the claim is rejected for the same reasons as claim 5 above.
15. As to claims 19 and 20, the claims are rejected for the same reasons as claim 7 above.
16. As to claim 21, the claim is rejected for the same reasons as claim 7 above.
17. As to claim 22, the claim is rejected for the same reasons as claim 1 above.
18. As to claim 23, the claim is rejected for the same reasons as claim 1 above.
19. As to claim 24, the claim is rejected for the same reasons as claim 1 above.
20. Claims 2 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art, hereafter "AAPA" in view of Iwata (JP 11175426A) as applied to claim 1 and further in view of Edwards et al. (WO 97/49044), hereafter « Edwards ».
21. Edwards et al. are cited by the applicant in IDS Paper No. 6 filed 7/21/2003.
22. As to claim 2, AIAA and Iwata do not disclose a link information format conversion section for mutual conversion of URI format link information and ID number format link information. Edwards, on the other hand, discloses converting link information of URI format to

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ID number format and vice versa wherein, the divided content is transmitted to the portable terminal with ID number format and obtaining the corresponding URI format when the portable terminal demands to obtain content in ID number format (page 2, lines 11-26). ). It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of AAPA, Iwata, and Edwards because Edwards URI format/ID number format conversion would provide AAPA-Iwata system with a user interface in the portable terminal that is better suited to the user and the device of the portable terminal.

23. As to claim 17, the claim is rejected for the same reasons as claim 2 above.

24. As to claim 6, 8-11, and 14, the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

25. Applicant's arguments filed 5/25/2004 have been fully considered but they are not persuasive.

26. In the remarks, applicants argued in substance that (1), obtaining the demanded content from the content server if the demanded content is not in the content holding section is not applicant admitted prior art. Examiner respectfully traverses applicants' remarks.

27. As to point (1), The caching technology is well known in the art to reduce the time spent to transmit the content from the main server. A cache is kept between the client and the server that is operated with a specific cache manage net algorithm to cache certain client requests. Every time the client request a content is fetched in the cache first before sending the request to

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the main server. This is a well-known technology. Applicant is referring to this known technology in the specification, page 2, and lines 10-15.

28. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M El-Hady whose telephone number is (703) 308-7990. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 20, 2004



Nabil El-Hady, Ph.D, M.B.A.  
Primary Patent Examiner  
Art Unit 2154